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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
Office Action Summary	10/788,616	FARR ET AL.
	Examiner	Art Unit	
	JAE Y. LEE	2466	

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>08 July 2010</u>.

2a) ☒ This action is **FINAL.** 2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) <u>1-4,6-12,14-29 and 31-35</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) <u>1-4, 6-12, 14-29, and 31-35</u> is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All b) ☐ Some * c) ☐ None of:

        1. ☐ Certified copies of the priority documents have been received.

        2. ☐ Certified copies of the priority documents have been received in Application No. _____.

        3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Response to Arguments

1.   Claims 1, 12, 14, 24, and 31 have been amended.

2.   Claims 5, 13, and 30 have been canceled.

Response to Arguments

3.   Applicant's arguments with respect to claims 1-35 have been considered but are moot in view of the new ground(s) of rejection.

4.   On pages 12-13 of the applicant's arguments, the applicant argues that there are specific structures of "*publication manager, subscription manager, subscription router, publisher, subscriber, the publisher and subscriber architecture*" because the elements are implemented via a processor in amended claim.

5.   The examiner respectfully disagrees with the applicant's arguments because there are still no dedicated structures for corresponding elements although the elements are implemented via the processors. If applicant wishes to have the claim limitation treated under 35 U.S.C. 112, sixth paragraph, applicant is required to:

(a)   Amend the claim to include the phrase "means for" or "step for" in accordance with these guidelines: the phrase "means for" or "step for" must be modified by functional language and the phrase must not be modified by sufficient structure, material, or acts for performing the claimed function; or

(b)   Show that the claim limitation is written as a function to be performed and the claim does not recite sufficient structure, material, or acts for performing the

claimed function which would preclude application of 35 U.S.C. 112, sixth

paragraph. For more information, see MPEP § 2181.

Claim Rejections - 35 USC § 112

6.   The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly
> claiming the subject matter which the applicant regards as his invention.

For claim 12, it is unclear whether 112, 6th paragraph, has been invoked for the

claim elements "*publication manager, subscription manager, subscription router*"

because the phrase "means for" or "step for" is not used and no specific structure is

recited to perform the functionality in the claim limitation.

If applicant wishes to have the claim limitation treated under 35 U.S.C. 112, sixth

paragraph, applicant is required to:

(a)   Amend the claim to include the phrase "means for" or "step for" in accordance with

these guidelines: the phrase "means for" or "step for" must be modified by functional

language and the phrase must not be modified by sufficient structure, material, or acts

for performing the claimed function; or

(b)   Show that the claim limitation is written as a function to be performed and the

claim does not recite sufficient structure, material, or acts for performing the

claimed function which would preclude application of 35 U.S.C. 112, sixth

paragraph. For more information, see MPEP § 2181.

To achieve the goal of compact prosecution, the examiner assumes that 112,

sixth paragraph has been invoked for the claim elements. Specification paragraph 0014

lines 8-9 recites "the agent may be implemented in hardware, firmware, software, or combinations" performs the functions and paragraph 0028 lines 1-3 recites "the agent includes a publication manager and a subscriber manager." However, there is no specific structure or algorithm corresponding to the function for each manager in the specification. Therefore, it is rejected under 35 U.S.C. 112, 2nd Paragraph because there is no disclosure or insufficient disclosure of the structure for performing the function recited in a claim limitation invoking 35 U.S.C. 112, sixth paragraph.

Claims 13-23 are rejected based upon the rejection of independent claim 12.

For claim 24, it is unclear whether 112, 6th paragraph, has been invoked for the claim element "*publisher, subscriber, the publisher and subscriber architecture*" because the phrase "means for" or "step for" is not used and no specific structure is recited to perform the functionality in the claim limitation. If applicant wishes to have the claim limitation treated under 35 U.S.C. 112, sixth paragraph, applicant is required to:

(a)   Amend the claim to include the phrase "means for" or "step for" in accordance with these guidelines: the phrase "means for" or "step for" must be modified by functional language and the phrase must not be modified by sufficient structure, material, or acts for performing the claimed function; or

(b)   Show that the claim limitation is written as a function to be performed and the claim does not recite sufficient structure, material, or acts for performing the claimed function which would preclude application of 35 U.S.C. 112, sixth paragraph. For more information, see MPEP § 2181.

To achieve the goal of compact prosecution, the examiner assumes that 112, sixth paragraph has been invoked for the claim elements. Specification paragraph 0014 lines 8-9 recites "the agent may be implemented in hardware, firmware, software, or combinations" performs the functions, paragraph 0015 lines 9-13 recites "the agent either acts as a publisher or a subscriber of the first entity. If the agent acts as a publisher it publishes information transmitted from the first entity. If the agent acts as a subscriber it receives information for the first entity and transmits that information to the first entity", paragraph 0028 lines 1-3: the agent includes a publication manager and a subscriber manager ... the publishing manager ... publishing it to other entities ... the subscription manager ... forwarding it to the entity that subscribed to the channel." However, there is no specific structure or algorithm corresponding to the function between the publisher and the subscriber. Therefore, it is rejected under 35 U.S.C. 112, 2nd Paragraph because there is no disclosure or insufficient disclosure of the structure for performing the function recited in a claim limitation invoking 35 U.S.C. 112, sixth paragraph.

Claims 25-35 are rejected based upon the rejection of independent claim 24.

Claim Rejections - 35 USC § 103

7.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

8.   The factual inquiries set forth in *Graham* **v.** *John Deere Co.*, 383 U.S. 1, 148

USPQ 459 (1966), that are applied for establishing a background for determining

obviousness under 35 U.S.C. 103(a) are summarized as follows:

      1.   Determining the scope and contents of the prior art.
      2.   Ascertaining the differences between the prior art and the claims at issue.
      3.   Resolving the level of ordinary skill in the pertinent art.
      4.   Considering objective evidence present in the application indicating
           obviousness or nonobviousness.

9.   **Claims 1, 2, 6, 7** are rejected under 35 U.S.C. 103(a) as being unpatentable over

Schwesig (US 2005/0010635) in view of Evans et al. (US 2003/0033283) and Giroti et

al. (US 2003/0018700).

      For claim 1, Schwesig discloses a method comprising:

- providing a publisher/subscriber architecture (Fig. 2: publishing clients,

  subscribing clients) having a subscription manager for acting as a proxy

  subscriber on a first network to receive first information over the first network

  relating to the subscription, for use by a specific entity communicating with the

  publisher/subscriber architecture over a second network (Fig. 5; paragraph 0052

  lines 1-11: subscription manager verifies that a subscribing client is authorized to

  subscribe to a restricted channel before allowing the subscribing client to become

  a subscriber for that channel. The subscription manager extracts authorization

  information from a subscription received from the subscribing client to authorize

  the subscription; paragraph 0077 lines 1-8: the server receives a request to be

added as a subscriber from the subscribing client. If the channel is restricted, the
server first verifies that the subscribing client is authorized to become a
subscriber. The server adds the subscribing client to a list of subscribers for the
network media channel; paragraph 0078 lines 1-2: the server receives a media
file to be published from a publishing client; paragraph 0080 lines 1-3: once the
media filed is published, subscribing client that are subscribers can request the
media file from the server; paragraph 0081 lines 1-2: the server generates a
notification indicating the new media file is available; paragraph 0082 lines 1-3:
the server receives a request from a subscribing client that is a subscriber to the
network media channel and sends the media file to a subscribing client);

- using a subscription router to receive the first information (Fig. 5; paragraph 0078
  lines 1-2: the server receives a media file to be published from a publishing
  client)

- using the subscription router to access a table to determine which one of a
  plurality of different entities in communication with the publisher/subscriber
  architecture, and that have each previously provided a subscription
  request to the publisher/subscriber architecture, are to receive the first
  information (Fig. 2: publishing clients, subscribing clients; Fig. 5; paragraph 0077
  lines 1-8: the server receives a request to be added as a subscriber from the
  subscribing client. If the channel is restricted, the server first verifies that the
  subscribing client is authorized to become a subscriber. The server adds the
  subscribing client to a list of subscribers for the network media channel;

paragraph 0082 lines 1-3: the server receives a request from a subscribing client
that is a subscriber to the network media channel and sends the media file to a
subscribing client);

- using the table to determine specifically which one or more of the entities are to
receive the first information, and transmitting the first information to the one or
more of the entities in accordance with subscription information from the table
(Fig. 2: publishing clients, subscribing clients; Fig. 5; paragraph 0077 lines 1-8:
the server receives a request to be added as a subscriber from the subscribing
client. If the channel is restricted, the server first verifies that the subscribing
client is authorized to become a subscriber. The server adds the subscribing
client to a list of subscribers for the network media channel; paragraph 0082 lines
1-3: the server receives a request from a subscribing client that is a subscriber to
the network media channel and sends the media file to a subscribing client),

- using a publication manager of the publisher/subscriber architecture to accept a
second information from the one or more of the entities, and to act as a publisher
of the second information for the one or more of the entities to at least one
remote entity (Fig. 2: publishing clients, subscribing clients; Fig. 5: publish
manager; paragraph 0053 lines 1-14: publish manager manages media files
received as published files; paragraph 0078 lines 1-7: the server receives a
media file to be published from a publishing client. The server determines to
which network media channel the received media file is to be published. It the
network media channel is restricted, the server verifies that the publishing client

is authorized to publish to the channel and verifies the media file is within any

other restrictions of the channel; paragraph 0080 lines 1-3: once the media filed

is published, subscribing client that are subscribers can request the media file

from the server); and

- for at least one of the publisher and subscriber operations, using the

   publisher/subscriber architecture to automatically register the one or more of the

   entities to implement one of the publishing and subscription operations without a

   registration action by the one or more of the entities (Fig. 2: publishing clients,

   subscribing clients; paragraph 0082 lines 4-7: the server automatically sends

   new media files to a subscribing client such as along with the notification or after

   receiving that the notification received)

Schwesig discloses all the subject matter of the claimed invention with the

exception for providing a publisher/subscriber architecture having a subscription

manager for generating a subscription. Evans discloses providing a publisher/subscriber

architecture having a subscription manager for generating a subscription (Fig. 2;

paragraph 0018 lines 3-7: publish & subscribe data distribution; paragraph 0020 lines 1-

7: subscription message generator generating subscription message in a format

acceptable to the data distribution system). Therefore, it would have been obvious to

the person of ordinary skill in the art at the time of invention was made to incorporate

providing a publisher/subscriber architecture having a subscription manager for

generating a subscription of Evans to the method of Schwesig. The motivation would

have been to automatically update a cached file as soon as an update becomes

available at a source file by using a publish and subscribe system (Evans paragraph
0010 lines 1-6).

Schwesig and Evans disclose all the subject matter of the claimed invention with
the exception for using a first protocol translator for translating the first information from
a first protocol to a second protocol and using a second protocol translator for
translating the second information from a third protocol to the second protocol. Giroti
discloses using a first protocol translator for translating the first information from a first
protocol to a second protocol and using a second protocol translator for translating the
second information from a third protocol to the second protocol (Fig. 2 integrated
application delivery system, wireless network, PSTN; paragraph 0024 lines 13-16:
unified XML controller controlling delivery of content via the convergence switch
performing the gateway-like function of translating data packets or streams between the
enterprise IP network and the user networks; Fig. 5, paragraph 0029 lines 17-29; the
switch of the translates the data packets or streams from wireless protocol to the
enterprise IP network and also translates other data packets or stream from PSTN
protocol to the enterprise IP network). It would have been obvious to one having
ordinary skill in the art at the time the invention was made to enable a single switch of
the integrated application delivery system translates the data packets or streams from
wireless protocol to the enterprise IP network and also translates other data packets or
stream from PSTN protocol to the enterprise IP network instead of using separate
translators since it has been held that constructing a formerly integral structure in
various elements involves only routine skill in the art.

For claim 2, Schwesig discloses

- one or more of the entities (Fig. 2: publishing clients, subscribing clients)

Schwesig and Evans disclose all the subject matter of the claimed invention with
the exception for time division multiplexing information. Giroti discloses time division
multiplexing information (Fig. 2 20 PSTN, 26 phone; PSTN is TDM based network).
Therefore, it would have been obvious to the person of ordinary skill in the art at the
time of invention was made to incorporate time division multiplexing information of Giroti
to the method of Schwesig and Evans. The motivation would have been to provide a
Unified XML based integrated voice and data media converging switch and application
delivery system, together forming an integrated application delivery system, are
disclosed that enable users to interact with computer applications in a generally richer
manner, enhancing service effectiveness and user satisfaction (Giroti paragraph 0006
lines 1-7).

For claim 6, Schwesig discloses

- the second protocol is an Internet Protocol (Fig. 2; paragraph 0024 lines 1-11:
  the network is a combination of IP network, wireless network, Wi-Fi network,
  LANs, WANs)

Schwesig and Evans disclose all the subject matter of the claimed invention with
the exception for the first protocol is a TDM protocol. Giroti discloses the first protocol is
a TDM protocol (Fig. 2 20 PSTN, 26 phone; PSTN is TDM based network). Therefore, it

would have been obvious to the person of ordinary skill in the art at the time of invention
was made to incorporate the first protocol is a **TDM** protocol of Giroti to the method of
Schwesig and Evans. The motivation would have been to provide a Unified XML based
integrated voice and data media converging switch and application delivery system,
together forming an integrated application delivery system, are disclosed that enable
users to interact with computer applications in a generally richer manner, enhancing
service effectiveness and user satisfaction (Giroti paragraph 0006 lines 1-7).

 For claim 7, Schwesig discloses

- the first protocol and the second protocol (Fig. 2; paragraph 0024 lines 1-11: the
  network is a combination of IP network, wireless network, Wi-Fi network, LANs,
  WANs)

 Schwesig and Evans disclose all the subject matter of the claimed invention with
the exception for using XML to translate between the first protocol and the second
protocol. Giroti discloses using XML to translate between the first protocol and the
second protocol (Fig. 2 10 integrated application delivery system; paragraph 0024 lines
13-16: unified XML controller controlling delivery of content via the convergence switch
performing the gateway-like function of translating data packets or streams between the
enterprise IP network and the user networks; Fig. 5, paragraph 0029 lines 17-29).
Therefore, it would have been obvious to the person of ordinary skill in the art at the
time of invention was made to incorporate using XML to translate between the first
protocol and the second protocol of Giroti to the method of Schwesig and Evans. The

motivation would have been to provide a Unified XML based integrated voice and data

media converging switch and application delivery system, together forming an

integrated application delivery system, are disclosed that enable users to interact with

computer applications in a generally richer manner, enhancing service effectiveness

and user satisfaction (Giroti paragraph 0006 lines 1-7).

10.   **Claims 3, 4** are rejected under 35 U.S.C. 103(a) as being unpatentable by

Schwesig (US 2005/0010635) in view of Evans et al. (US 2003/0033283) and Giroti et

al. (US 2003/0018700) as applied to claim 1 above, and further in view of Chou et al.

(US 2003/0018796).

     For claim 3, Schwesig discloses

- publisher and subscriber architecture (Fig. 2)

     Schwesig, Evans, and Giroti disclose all the subject matter of the claimed

invention with the exception for fusing the first information and a third information and

transmitting the fused information. Chou discloses using the first information and a third

information and transmitting the fused information (Fig. 3B, Fig. 5; paragraph 0013 lines

11-19: multiplexing different versions of the multimedia information encoded at a

different transmission rate to form a sequence of frames having an average

transmission rate approximating the available transmission rate; paragraph 0042 lines

12-18). Therefore, it would have been obvious to the person of ordinary skill in the art at

the time of invention was made to incorporate fusing the first information and a third

information and transmitting the fused information of Chou to the method of Schwesig,

Evans, and Giroti. The motivation would have been to increase bandwidth efficiency by

using multiplexing technique.

      For claim 4, Schwesig discloses

*   publisher and subscriber architecture (Fig. 1)

      Schwesig, Evans, and Giroti disclose all the subject matter of the claimed

invention with the exception for the first information and the third information transmitted

at different rates. Chou discloses the first information and the third information

transmitted at different rates (Fig. 3B, Fig. 5; paragraph 0013 lines 11-19: multiplexing

different versions of the multimedia information encoded at a different transmission rate

to form a sequence of frames having an average transmission rate approximating the

available transmission rate; paragraph 0042 lines 12-18). Therefore, it would have been

obvious to the person of ordinary skill in the art at the time of invention was made to

incorporate the first information and the third information transmitted at different rates of

Chou to the method of Schwesig, Evans, and Giroti. The motivation would have been to

increase bandwidth efficiency by using multiplexing technique.

11.   **Claims 8-10** are rejected under 35 U.S.C. 103(a) as being unpatentable by

Schwesig (US 2005/0010635) in view of Evans et al. (US 2003/0033283) and Giroti et

al. (US 2003/0018700) as applied to claim 1 above, and further in view of Nedbal (US

7,107,574).

For claim 8, Schwesig discloses

- the protocol associated with the second information and an expected protocol for the second information (Fig. 2; paragraph 0024 lines 1-11: the network is a combination of IP network, wireless network, Wi-Fi network, LANs, WANs; Fig. 5; paragraph 0077 lines 1-8: the server receives a request to be added as a subscriber from the subscribing client. If the channel is restricted, the server first verifies that the subscribing client is authorized to become a subscriber. The server adds the subscribing client to a list of subscribers for the network media channel; paragraph 0078 lines 1-2: the server receives a media file to be published from a publishing client)

Schwesig, Evans, and Giroti disclose all the subject matter of the claimed invention with the exception for validating by comparison. Nedbal discloses validating by comparison (col 6 lines 30-31: validating XML data against XML schema data; col 11 lines 47-55: XML parser validating XMAL data against the XSD data in order to generate a validation result in including error message and valid configuration response). Therefore, it would have been obvious to the person of ordinary skill in the art at the time of invention was made to validating by comparison of Nedbal to the method of Schwesig, Evans, and Giroti. The motivation would have been to enhance reliability by using XSD validation technique.

For claim 9, Schwesig discloses

- the protocol associated with the second information and an expected protocol for
  the second information (Fig. 2; paragraph 0024 lines 1-11: the network is a
  combination of IP network, wireless network, Wi-Fi network, LANs, WANs; Fig. 5;
  paragraph 0077 lines 1-8: the server receives a request to be added as a
  subscriber from the subscribing client. If the channel is restricted, the server first
  verifies that the subscribing client is authorized to become a subscriber. The
  server adds the subscribing client to a list of subscribers for the network media
  channel; paragraph 0078 lines 1-2: the server receives a media file to be
  published from a publishing client)

Schwesig, Evans, and Giroti disclose all the subject matter of the claimed
invention with the exception for validating using an XSD schema. Nedbal discloses
validating using an XSD schema (col 6 lines 30-31: validating XML data against XML
schema data; col 11 lines 47-55: XML parser validating XMAL data against the XSD
data in order to generate a validation result in including error message and valid
configuration response). Therefore, it would have been obvious to the person of
ordinary skill in the art at the time of invention was made to incorporate validating using
an XSD schema of Nedbal to the method of Schwesig, Evans, and Giroti. The
motivation would have been to enhance reliability by using XSD validation technique.

For claim 10, Schwesig discloses

- the protocol associated with the second information and an expected protocol for
  the second information (Fig. 2; paragraph 0024 lines 1-11: the network is a

combination of IP network, wireless network, Wi-Fi network, LANs, WANs; Fig. 5;

paragraph 0077 lines 1-8: the server receives a request to be added as a

subscriber from the subscribing client. If the channel is restricted, the server first

verifies that the subscribing client is authorized to become a subscriber. The

server adds the subscribing client to a list of subscribers for the network media

channel; paragraph 0078 lines 1-2: the server receives a media file to be

published from a publishing client)

Schwesig, Evans, and Giroti disclose all the subject matter of the claimed

invention with the exception for ignoring subsequent messages from the same source if

the validation failed. Nedbal discloses ignoring subsequent messages from the same

source if the validation failed (col 6 lines 30-31: validating XML data against XML

schema data; col 11 lines 47-55: XML parser validating XMAL data against the XSD

data in order to generate a validation result in including error message in case of failure;

subsequent pieces are implicitly ignored due to generating error message). Therefore, it

would have been obvious to the person of ordinary skill in the art at the time of invention

was made to incorporate ignoring subsequent messages from the same source if the

validation failed of Nedbal to the method of Schwesig, Evans, and Giroti. The motivation

would have been to enhance reliability by using XSD validation technique.

12.   **Claim 11** is rejected under 35 U.S.C. 103(a) as being unpatentable by Schwesig

(US 2005/0010635) in view of Evans et al. (US 2003/0033283) and Giroti et al. (US

2003/0018700) as applied to claim 1 above, and further in view of Mueller et al. (US
2005/0027867).

  For claim 11, Schwesig discloses

- accepting a request for a changed subscription from the entity and changing the
  subscription, and updating the table to reflect the changed subscription
  (paragraph 0077 lines 1-8: the server receives a request to be added as a
  subscriber from the subscribing client. If the channel is restricted, the server first
  verifies that the subscribing client is authorized to become a subscriber. The
  server adds the subscribing client to a list of subscribers for the network media
  channel)

  Schwesig, Evans, and Giroti disclose all the subject matter of the claimed
invention with the exception for dynamic subscription registration. Mueller discloses
dynamic subscription registration (paragraph 0034 lines 1-10: subscription including
identity, and device registration done dynamically at a future time). Therefore, it would
have been obvious to the person of ordinary skill in the art at the time of invention was
made to incorporate dynamic subscription registration of Mueller to the method of
Schwesig, Evans, and Giroti. The motivation would have been to increase flexibility by
actively changing information by user (paragraph 0034 lines 6-10).

13.   **Claims 12, 14, 17, 21-29, 31, 32, 35** are rejected under 35 U.S.C. 102(e) as

being anticipated by Schwesig (US 2005/0010635) in view of Giroti et al. (US

2003/0018700).

    For claim 12, Schwesig discloses a system comprising:

- an interface to a specific entity (Fig. 2: publishing clients, subscribing clients; Fig.

    5: network interface), the specific entity interface including a first protocol for

    communicating with the specific entity over the first network (Fig. 2: publishing

    clients, subscribing clients; Fig. 5: network interface; paragraph 0024 lines 1-11:

    the network is a combination of IP network, wireless network, Wi-Fi network,

    LANs, WANs); and

- a network interface to a publisher/subscriber architecture on the second

    network, the publisher/subscriber architecture (Fig. 2: publishing clients,

    subscribing clients; Fig. 5: network interface; paragraph 0024 lines 1-11: the

    network is a combination of IP network, wireless network, Wi-Fi network, LANs,

    WANs) implemented via a processor (paragraph 0101, 0102: processor), and

    including :

- a publication manager that determines which one of a plurality of remote

    entities is to receive a first quantity of information that is received by the agent

    from the specific entity and published by the agent (Fig. 2: publishing clients,

    subscribing clients; Fig. 5: publish manager; paragraph 0053 lines 1-14: publish

    manager manages media files received as published files; paragraph 0078 lines

1-7: the server receives a media file to be published from a publishing client. The

server determines to which network media channel the received media file is to

be published. It the network media channel is restricted, the server verifies that

the publishing client is authorized to publish to the channel and verifies the media

file is within any other restrictions of the channel; paragraph 0080 lines 1-3: once

the media filed is published, subscribing client that are subscribers can request

the media file from the server); and

- a subscription manager that establishes at least one subscription for the specific

  entity to receive publications from at least a selected one of the plurality of

  remote entities (Fig. 2: publishing clients, subscribing clients; Fig. 5; paragraph

  0052 lines 1-11: subscription manager verifies that a subscribing client is

  authorized to subscribe to a restricted channel before allowing the subscribing

  client to become a subscriber for that channel. The subscription manager

  extracts authorization information from a subscription received from the

  subscribing client to authorize the subscription; paragraph 0077 lines 1-8: the

  server receives a request to be added as a subscriber from the subscribing

  client. If the channel is restricted, the server first verifies that the subscribing

  client is authorized to become a subscriber. The server adds the subscribing

  client to a list of subscribers for the network media channel; paragraph 0078 lines

  1-2: the server receives a media file to be published from a publishing client;

  paragraph 0080 lines 1-3: once the media filed is published, subscribing client

  that are subscribers can request the media file from the server; paragraph 0081

lines 1-2: the server generates a notification indicating the new media file is

available; paragraph 0082 lines 1-3: the server receives a request from a

subscribing client that is a subscriber to the network media channel and sends

the media file to a subscribing client);

- a subscription router that receives the publications from the selected one of the

  remote entities (Fig. 5; paragraph 0078 lines 1-2: the server receives a media file

  to be published from a publishing client);

- a subscription and publication table that the subscription router accesses to hold

  subscription information pertaining to which ones of a plurality of different entities

  are to receive subscription information from the subscription router, and to

  identify that the subscription information is to be transmitted to the specific entity

  (Fig. 2: publishing clients, subscribing clients; Fig. 5; paragraph 0077 lines 1-8:

  the server receives a request to be added as a subscriber from the subscribing

  client. If the channel is restricted, the server first verifies that the subscribing

  client is authorized to become a subscriber. The server adds the subscribing

  client to a list of subscribers for the network media channel; paragraph 0082 lines

  1-3: the server receives a request from a subscribing client that is a subscriber to

  the network media channel and sends the media file to a subscribing client); and

- the subscription and publication table also holding publication information as to

  which one or more of said pluralities of remote entities said publications from said

  specific remote entity are to be published to (paragraph 0077 lines 1-8: the

  server receives a request to be added as a subscriber from the subscribing

client. If the channel is restricted, the server first verifies that the subscribing

client is authorized to become a subscriber. The server adds the subscribing

client to a list of subscribers for the network media channel; paragraph 0081 lines

8-20: the server maintains a notification page or table including the notification

information. When the server has received an update, the server changes the

notification page to reflect the update. The server sends a notification to each of

the subscribing clients that are recorded subscribers for a network media channel

when there is an update for the channel such as by email; paragraph 0082 lines

1-3: the server receives a request from a subscribing client that is a subscriber to

the network media channel and sends the media file to a subscribing client)

Schwesig discloses all the subject matter of the claimed invention with the

exception for a first protocol translator for translating the first information from a first

protocol to a second protocol as required and a second protocol translator for

translating the second information from a third protocol to the second protocol as

required. Giroti discloses a first protocol translator for translating the first information

from a first protocol to a second protocol as required and a second protocol translator

for translating the second information from a third protocol to the second protocol as

required (Fig. 2 integrated application delivery system, wireless network, PSTN;

paragraph 0024 lines 13-16: unified XML controller controlling delivery of content via the

convergence switch performing the gateway-like function of translating data packets or

streams between the enterprise IP network and the user networks; Fig. 5, paragraph

0029 lines 17-29; the switch of the translates the data packets or streams from wireless

protocol to the enterprise IP network and also translates other data packets or stream from PSTN protocol to the enterprise IP network). It would have been obvious to one having ordinary skill in the art at the time the invention was made to enable a single switch of the integrated application delivery system translates the data packets or streams from wireless protocol to the enterprise IP network and also translates other data packets or stream from PSTN protocol to the enterprise IP network instead of using separate translators since it has been held that constructing a formerly integral structure in various elements involves only routine skill in the art.

For claim 14, Schwesig discloses

- the translator (Fig. 2: publishing clients, subscribing clients; Fig. 5: network interface; paragraph 0024 lines 1-11: the network is a combination of IP network, wireless network, Wi-Fi network, LANs, WANs; paragraph 0082 lines 7-21: the server determines the type of platform of the subscribing client and the format that the subscribing client is requesting. If the stored media file does not match the platform and format for the subscribing client, the server transcodes the media file to the match the client)

Schwesig discloses all the subject matter of the claimed invention with the exception for at least one of the first and second translator is based on XML. Giroti discloses at least one of the first and second translator is based on XML (Fig. 2 integrated application delivery system, wireless network, PSTN; paragraph 0024 lines 13-16: unified XML controller controlling delivery of content via the convergence switch

performing the gateway-like function of translating data packets or streams between the

enterprise IP network and the user networks; Fig. 5, paragraph 0029 lines 17-29; the

switch of the translates the data packets or streams from wireless protocol to the

enterprise IP network and also translates other data packets or stream from PSTN

protocol to the enterprise IP network). It would have been obvious to one having

ordinary skill in the art at the time the invention was made to enable a single switch of

the integrated application delivery system translates the data packets or streams from

wireless protocol to the enterprise IP network and also translates other data packets or

stream from PSTN protocol to the enterprise IP network instead of using separate

translators since it has been held that constructing a formerly integral structure in

various elements involves only routine skill in the art.

   For claim 17, Schwesig discloses

- further comprising a registration manager to register the first specific entity as at

   least one of a publisher and a subscriber (Fig. 2: publishing clients, subscribing

   clients; Fig. 5; paragraph 0077 lines 1-8: the server receives a request to be

   added as a subscriber from the subscribing client. If the channel is restricted, the

   server first verifies that the subscribing client is authorized to become a

   subscriber. The server adds the subscribing client to a list of subscribers for the

   network media channel)

   For claim 21, Schwesig discloses

- the specific entity interface (Fig. 2: publishing clients, subscribing clients; Fig. 5:
  network interface)

Schwesig discloses all the subject matter of the claimed invention with the
exception for the entity interface is a TDM interface. Giroti discloses the entity interface
is a TDM interface (Fig. 2 20 PSTN; PSTN is implicitly a TDM based network; Integrated
application delivery system implicitly has an interface connected to the corresponding
network). Therefore, it would have been obvious to the person of ordinary skill in the art
at the time of invention was made to incorporate the entity interface is a TDM interface
of Giroti to the method of Schwesig. The motivation would have been to provide a
Unified XML based integrated voice and data media converging switch and application
delivery system, together forming an integrated application delivery system, are
disclosed that enable users to interact with computer applications in a generally richer
manner, enhancing service effectiveness and user satisfaction (Giroti paragraph 0006
lines 1-7).

For claim 22, Schwesig discloses

- wherein the network interface includes an Internet interface (Fig. 5: network
  interface; paragraph 0024 lines 1-11: the network is a combination of IP network,
  wireless network, Wi-Fi network, LANs, WANs)

For claim 23, Schwesig discloses

- wherein the agent is implemented in at least one of hardware, firmware, and software (Fig. 5; paragraph 0048 lines 3-6: the server includes one or more microprocessors and some or all of the control and manager functionality is provided by software executed by the microprocessor)

For claim 24, Schwesig discloses a system comprising:

- a first network having a first protocol (Fig. 2: publishing clients, subscribing clients; Fig. 5; paragraph 0024 lines 1-11: the network is a combination of IP network, wireless network, Wi-Fi network, LANs, WANs);
- a specific entity configured to use the first protocol to communicate over the first network (Fig. 2: publishing clients, subscribing clients; Fig. 5; paragraph 0024 lines 1-11: the network is a combination of IP network, wireless network, Wi-Fi network, LANs, WANs); and
- an agent associated with the first network interposed between the first network and a second network including a publisher/subscriber publisher and subscriber architecture, the publisher and subscriber architecture being implemented via a processor, the agent adapted to act as (Fig. 2: publishing clients, subscribing clients; Fig. 5: publish manager; paragraph 0053 lines 1-14: publish manager manages media files received as published files; paragraph 0078 lines 1-7: the server receives a media file to be published from a publishing client. The server determines to which network media channel the received media file is to be published. It the network media channel is restricted, the server verifies that the

publishing client is authorized to publish to the channel and verifies the media file

is within any other restrictions of the channel; paragraph 0080 lines 1-3: once the

media filed is published, subscribing client that are subscribers can request the

media file from the server; paragraph 0101, 0102: processor):

- a publisher for the entity for a first information to be transmitted by the entity over

  the first network in accordance with the first protocol (Fig. 2: publishing clients,

  subscribing clients; Fig. 5: publish manager; paragraph 0024 lines 1-11: the

  network is a combination of IP network, wireless network, Wi-Fi network, LANs,

  WANs; paragraph 0053 lines 1-14: publish manager manages media files

  received as published files; paragraph 0078 lines 1-7: the server receives a

  media file to be published from a publishing client. The server determines to

  which network media channel the received media file is to be published. It the

  network media channel is restricted, the server verifies that the publishing client

  is authorized to publish to the channel and verifies the media file is within any

  other restrictions of the channel; paragraph 0080 lines 1-3: once the media filed

  is published, subscribing client that are subscribers can request the media file

  from the server), and

- a subscriber for the entity for a second information to be transmitted to the agent

  over the second network from one or more remotely located entities (Fig. 2:

  publishing clients, subscribing clients; Fig. 5: publish manager; paragraph 0024

  lines 1-11: the network is a combination of IP network, wireless network, Wi-Fi

  network, LANs, WANs; paragraph 0053 lines 1-14: publish manager manages

media files received as published files; paragraph 0078 lines 1-7: the server

receives a media file to be published from a publishing client. The server

determines to which network media channel the received media file is to be

published. It the network media channel is restricted, the server verifies that the

publishing client is authorized to publish to the channel and verifies the media file

is within any other restrictions of the channel; paragraph 0080 lines 1-3: once the

media filed is published, subscribing client that are subscribers can request the

media file from the server; paragraph 0082 lines 1-3: the server receives a

request from a subscribing client that is a subscriber to the network media

channel and sends the media file to a subscribing client);

- the publisher and subscriber architecture adapted to access a subscription and

  publication table to determine which one or more of said plurality of remotely

  located entities said first information published by said specific entity is to be

  published to (Fig. 2: publishing clients, subscribing clients; Fig. 5; paragraph

  0077 lines 1-8: the server receives a request to be added as a subscriber from

  the subscribing client. If the channel is restricted, the server first verifies that the

  subscribing client is authorized to become a subscriber. The server adds the

  subscribing client to a list of subscribers for the network media channel;

  paragraph 0078 lines 1-7: the server receives a media file to be published from a

  publishing client. The server determines to which network media channel the

  received media file is to be published. It the network media channel is restricted,

  the server verifies that the publishing client is authorized to publish to the channel

and verifies the media file is within any other restrictions of the channel;
paragraph 0080 lines 1-3: once the media filed is published, subscribing client
that are subscribers can request the media file from the server; paragraph 0082
lines 1-3: the server receives a request from a subscribing client that is a
subscriber to the network media channel and sends the media file to a
subscribing client); and

- the publisher and subscriber architecture adapted to access the subscription and
publication table to determine, from data stored therein, that the specific entity is
to receive the second information from a given one of said one or more remotely
located entities (Fig. 2: publishing clients, subscribing clients; Fig. 5; paragraph
0077 lines 1-8: the server receives a request to be added as a subscriber from
the subscribing client. If the channel is restricted, the server first verifies that the
subscribing client is authorized to become a subscriber. The server adds the
subscribing client to a list of subscribers for the network media channel;
paragraph 0078 lines 1-7: the server receives a media file to be published from a
publishing client. The server determines to which network media channel the
received media file is to be published. It the network media channel is restricted,
the server verifies that the publishing client is authorized to publish to the channel
and verifies the media file is within any other restrictions of the channel;
paragraph 0080 lines 1-3: once the media filed is published, subscribing client
that are subscribers can request the media file from the server; paragraph 0082
lines 1-3: the server receives a request from a subscribing client that is a

subscriber to the network media channel and sends the media file to a

subscribing client)

Schwesig discloses all the subject matter of the claimed invention with the

exception for a first protocol translator for translating the first information from a first

protocol to a second protocol and a second protocol translator for translating the second

information from a third protocol to the second protocol. Giroti discloses a first protocol

translator for translating the first information from a first protocol to a second protocol

and a second protocol translator for translating the second information from a third

protocol to the second protocol (Fig. 2 integrated application delivery system, wireless

network, PSTN; paragraph 0024 lines 13-16: unified XML controller controlling delivery

of content via the convergence switch performing the gateway-like function of

translating data packets or streams between the enterprise IP network and the user

networks; Fig. 5, paragraph 0029 lines 17-29; the switch of the translates the data

packets or streams from wireless protocol to the enterprise IP network and also

translates other data packets or stream from PSTN protocol to the enterprise IP

network). It would have been obvious to one having ordinary skill in the art at the time

the invention was made to enable a single switch of the integrated application delivery

system translates the data packets or streams from wireless protocol to the enterprise

IP network and also translates other data packets or stream from PSTN protocol to the

enterprise IP network instead of using separate translators since it has been held that

constructing a formerly integral structure in various elements involves only routine skill

in the art.

For claim 25, Schwesig discloses

- further comprising: a third network in communication with the second network
  and providing the second information (Fig. 2: publishing clients, subscribing
  clients; Fig. 5; paragraph 0024 lines 1-11: the network is a combination of IP
  network, wireless network, Wi-Fi network, LANs, WANs; paragraph 0077 lines 1-
  8: the server receives a request to be added as a subscriber from the subscribing
  client. If the channel is restricted, the server first verifies that the subscribing
  client is authorized to become a subscriber. The server adds the subscribing
  client to a list of subscribers for the network media channel; paragraph 0078 lines
  1-7: the server receives a media file to be published from a publishing client. The
  server determines to which network media channel the received media file is to
  be published. It the network media channel is restricted, the server verifies that
  the publishing client is authorized to publish to the channel and verifies the media
  file is within any other restrictions of the channel; paragraph 0080 lines 1-3: once
  the media filed is published, subscribing client that are subscribers can request
  the media file from the server; paragraph 0082 lines 1-3: the server receives a
  request from a subscribing client that is a subscriber to the network media
  channel and sends the media file to a subscribing client)

For claim 26, Schwesig discloses

- further comprising: a third network in communication with the second network and subscribing for the first information (Fig. 2: publishing clients, subscribing clients; Fig. 5; paragraph 0024 lines 1-11: the network is a combination of IP network, wireless network, Wi-Fi network, LANs, WANs; paragraph 0077 lines 1-8: the server receives a request to be added as a subscriber from the subscribing client. If the channel is restricted, the server first verifies that the subscribing client is authorized to become a subscriber. The server adds the subscribing client to a list of subscribers for the network media channel; paragraph 0078 lines 1-7: the server receives a media file to be published from a publishing client. The server determines to which network media channel the received media file is to be published. It the network media channel is restricted, the server verifies that the publishing client is authorized to publish to the channel and verifies the media file is within any other restrictions of the channel; paragraph 0080 lines 1-3: once the media filed is published, subscribing client that are subscribers can request the media file from the server; paragraph 0082 lines 1-3: the server receives a request from a subscribing client that is a subscriber to the network media channel and sends the media file to a subscribing client)

For claim 27, Schwesig discloses

- the first protocol (Fig. 2: publishing clients, subscribing clients; Fig. 5; paragraph 0024 lines 1-11: the network is a combination of IP network, wireless network, Wi-Fi network, LANs, WANs)

Schwesig discloses all the subject matter of the claimed invention with the

exception for TDM protocol. Giroti discloses TDM protocol (Fig. 2 20 PSTN; PSTN is

implicitly a TDM based network; Integrated application delivery system implicitly has an

interface connected to the corresponding network). Therefore, it would have been

obvious to the person of ordinary skill in the art at the time of invention was made to

incorporate TDM protocol of Giroti to the method of Schwesig. The motivation would

have been to provide a Unified XML based integrated voice and data media converging

switch and application delivery system, together forming an integrated application

delivery system, are disclosed that enable users to interact with computer applications

in a generally richer manner, enhancing service effectiveness and user satisfaction

(Giroti paragraph 0006 lines 1-7).

For claim 28, Schwesig discloses

- The first protocol (Fig. 2; paragraph 0024 lines 1-11: the network is a
  combination of IP network, wireless network, Wi-Fi network, LANs, WANs; Fig. 5)

Schwesig and Giroti disclose all the subject matter of the claimed invention with

the exception for TADIL-J. Examiner takes Official Notice that TADIL-J is well known

protocol in the art. Therefore, it would have been obvious to the person of ordinary skill

in the art at the time of invention was made to use TADIL-J instead of TDM in order to

provide flexibility over communication network.

For claim 29, Schwesig discloses

- The first protocol (Fig. 2; paragraph 0024 lines 1-11: the network is a

   combination of IP network, wireless network, Wi-Fi network, LANs, WANs; Fig. 5)

   Schwesig and Giroti disclose all the subject matter of the claimed invention with

the exception for VMF. Examiner takes Official Notice that VMF is well known protocol

in the art. Therefore, it would have been obvious to the person of ordinary skill in the art

at the time of invention was made to use VMF instead of TDM in order to provide

flexibility over communication network.

   For claim 31, Schwesig discloses

- the translator (Fig. 2: publishing clients, subscribing clients; Fig. 5: network

   interface; paragraph 0024 lines 1-11: the network is a combination of IP network,

   wireless network, Wi-Fi network, LANs, WANs; paragraph 0082 lines 7-21: the

   server determines the type of platform of the subscribing client and the format

   that the subscribing client is requesting. If the stored media file does not match

   the platform and format for the subscribing client, the server transcodes the

   media file to the match the client)

   Schwesig discloses all the subject matter of the claimed invention with the

exception for at least one of the first and second translator is based on XML. Giroti

discloses at least one of the first and second translator is based on XML (Fig. 2

integrated application delivery system, wireless network, PSTN; paragraph 0024 lines

13-16: unified XML controller controlling delivery of content via the convergence switch

performing the gateway-like function of translating data packets or streams between the

enterprise IP network and the user networks; Fig. 5, paragraph 0029 lines 17-29; the

switch of the translates the data packets or streams from wireless protocol to the

enterprise IP network and also translates other data packets or stream from PSTN

protocol to the enterprise IP network). It would have been obvious to one having

ordinary skill in the art at the time the invention was made to enable a single switch of

the integrated application delivery system translates the data packets or streams from

wireless protocol to the enterprise IP network and also translates other data packets or

stream from PSTN protocol to the enterprise IP network instead of using separate

translators since it has been held that constructing a formerly integral structure in

various elements involves only routine skill in the art.

    For claim 32, Schwesig discloses

- the first network is associated with a mobile platform (Fig. 5; paragraph 0054

  lines 1-10: trancoding manager; paragraph 0024 lines 1-11: the network is a

  combination of IP network, cellular GSM, Wi-Fi network, LANs, WANs; paragraph

  0077 lines 1-8: the server receives a request to be added as a subscriber from

  the subscribing client. If the channel is restricted, the server first verifies that the

  subscribing client is authorized to become a subscriber. The server adds the

  subscribing client to a list of subscribers for the network media channel)

    For claim 35, Schwesig discloses

- the first protocol is custom to the first network (Fig. 5; paragraph 0054 lines 1-10:

  trancoding manager; paragraph 0024 lines 1-11: the network is a combination of

  IP network, cellular GSM, Wi-Fi network, LANs, WANs)

14.   **Claims 15, 16** are rejected under 35 U.S.C. 103(a) as being unpatentable by

Schwesig (US 2005/0010635) in view of Giroti et al. (US 2003/0018700) as applied to

claim 12 above, and further in view of Chou et al. (US 2003/0018796)).

  For claim 15, Schwesig discloses

- The sources being associated with at least one of the first network and the

  second network (Fig. 2: publishing clients, subscribing clients; Fig. 5: network

  interface; paragraph 0024 lines 1-11: the network is a combination of IP network,

  wireless network, Wi-Fi network, LANs, WANs)

  Schwesig and Giroti disclose all the subject matter of the claimed invention with

the exception for an information fuser wherein the fuser to fuse information for at least

two sources. Chou discloses Fig. 2 12 enterprise IP network, 14 application, 16 DB (Fig.

3B, Fig. 5; paragraph 0013 lines 11-19: multiplexing different versions of the multimedia

information encoded at a different transmission rate to form a sequence of frames

having an average transmission rate approximating the available transmission rate;

paragraph 0042 lines 12-18). Therefore, it would have been obvious to the person of

ordinary skill in the art at the time of invention was made to incorporate Fig. 2 12

enterprise IP network, 14 application, 16 DB of Chou to the system of Schwesig and

Giroti. The motivation would have been to increase bandwidth efficiency by using

multiplexing technique.

For claim 16, Schwesig discloses

- The first and second sources (Fig. 2: publishing clients, subscribing clients; Fig.

  5: network interface; paragraph 0024 lines 1-11: the network is a combination of

  IP network, wireless network, Wi-Fi network, LANs, WANs)

Schwesig and Giroti disclose all the subject matter of the claimed invention with

the exception for the information fuser being configured to accept information form the

first and the second sources at different rates. Chou discloses the information fuser

being configured to accept information form the first and the second sources at different

rates (Fig. 3B, Fig. 5; paragraph 0013 lines 11-19: multiplexing different versions of the

multimedia information encoded at a different transmission rate to form a sequence of

frames having an average transmission rate approximating the available transmission

rate; paragraph 0042 lines 12-18). Therefore, it would have been obvious to the person

of ordinary skill in the art at the time of invention was made to the information fuser

being configured to accept information form the first and the second sources at different

rates of Chou to the system of Schwesig and Giroti. The motivation would have been to

increase bandwidth efficiency by using multiplexing technique.

15.   Claims 18-20, 34 are rejected under 35 U.S.C. 103(a) as being unpatentable by

Schwesig (US 2005/0010635) in view of Giroti et al. (US 2003/0018700) as applied to

claims 12, 24 above, and further in view of Nedbal (US 7,107,574).

     For claim 18, Schwesig discloses

- information received from the second network (Fig. 2: publishing clients,

  subscribing clients; paragraph 0024 lines 1-11: the network is a combination of IP

  network, wireless network, Wi-Fi network, LANs, WANs; Fig. 5; paragraph 0077

  lines 1-8: the server receives a request to be added as a subscriber from the

  subscribing client. If the channel is restricted, the server first verifies that the

  subscribing client is authorized to become a subscriber. The server adds the

  subscribing client to a list of subscribers for the network media channel;

  paragraph 0078 lines 1-7: the server receives a media file to be published from a

  publishing client. The server determines to which network media channel the

  received media file is to be published. It the network media channel is restricted,

  the server verifies that the publishing client is authorized to publish to the channel

  and verifies the media file is within any other restrictions of the channel;

  paragraph 0080 lines 1-3: once the media filed is published, subscribing client

  that are subscribers can request the media file from the server)

     Schwesig and Giroti disclose all the subject matter of the claimed invention with

the exception for a validation manager to validate information. Nedbal a validation

manager to validate information (col 6 lines 30-31: validating XML data against XML

schema data; col 11 lines 47-55: XML parser validating XMAL data against the XSD

data in order to generate a validation result in including error message and valid

configuration response). Therefore, it would have been obvious to the person of

ordinary skill in the art at the time of invention was made to incorporate a validation

manager to validate information of Nedbal to the system of Schwesig and Giroti. The

motivation would have been to enhance reliability by using XSD validation technique.

For claim 19, Schwesig discloses

- the protocol associated with the information from the second network with an

  expected protocol for the information from the second network (Fig. 2: publishing

  clients, subscribing clients; paragraph 0024 lines 1-11: the network is a

  combination of IP network, wireless network, Wi-Fi network, LANs, WANs; Fig. 5;

  paragraph 0077 lines 1-8: the server receives a request to be added as a

  subscriber from the subscribing client. If the channel is restricted, the server first

  verifies that the subscribing client is authorized to become a subscriber. The

  server adds the subscribing client to a list of subscribers for the network media

  channel; paragraph 0078 lines 1-7: the server receives a media file to be

  published from a publishing client. The server determines to which network

  media channel the received media file is to be published. It the network media

  channel is restricted, the server verifies that the publishing client is authorized to

  publish to the channel and verifies the media file is within any other restrictions of

the channel; paragraph 0080 lines 1-3: once the media filed is published,

subscribing client that are subscribers can request the media file from the server)

Schwesig and Giroti disclose all the subject matter of the claimed invention with

the exception for validation manager to validate the information by comparison. Nedbal

discloses validation manager to validate the information by comparison (col 6 lines 30-

31: validating XML data against XML schema data; col 11 lines 47-55: XML parser

validating XMAL data against the XSD data in order to generate a validation result in

including error message and valid configuration response). Therefore, it would have

been obvious to the person of ordinary skill in the art at the time of invention was made

to validation manager to validate the information by comparison of Nedbal to the system

of Schwesig and Giroti. The motivation would have been to enhance reliability by using

XSD validation technique.

For claims 20, 34, Schwesig discloses

- information received from the second network (Fig. 2: publishing clients,

  subscribing clients; paragraph 0024 lines 1-11: the network is a combination of IP

  network, wireless network, Wi-Fi network, LANs, WANs; Fig. 5; paragraph 0077

  lines 1-8: the server receives a request to be added as a subscriber from the

  subscribing client. If the channel is restricted, the server first verifies that the

  subscribing client is authorized to become a subscriber. The server adds the

  subscribing client to a list of subscribers for the network media channel;

  paragraph 0078 lines 1-7: the server receives a media file to be published from a

publishing client. The server determines to which network media channel the

received media file is to be published. It the network media channel is restricted,

the server verifies that the publishing client is authorized to publish to the channel

and verifies the media file is within any other restrictions of the channel;

paragraph 0080 lines 1-3: once the media filed is published, subscribing client

that are subscribers can request the media file from the server)

Schwesig and Giroti disclose all the subject matter of the claimed invention with

the exception for an XSD schema used by validation manager to validate information.

Nedbal discloses an XSD schema used by validation manager to validate information

(col 6 lines 30-31: validating XML data against XML schema data; col 11 lines 47-55:

XML parser validating XMAL data against the XSD data in order to generate a validation

result in including error message and valid configuration response). Therefore, it would

have been obvious to the person of ordinary skill in the art at the time of invention was

made to incorporate an XSD schema used by validation manager to validate information

of Nedbal to the system of Schwesig and Giroti. The motivation would have been to

enhance reliability by using XSD validation technique.

16.   **Claim 33** is rejected under 35 U.S.C. 103(a) as being unpatentable by Schwesig

(US 2005/0010635) in view of Giroti et al. **(US 2003/0018700)** as applied to claim 24

above, and further in view of McCall et al. **(US 2002/0188522).**

For claim 33, Schwesig discloses

- the mobile platform (Fig. 2: publishing clients, subscribing clients; Fig. 5: network

  interface; paragraph 0024 lines 1-11: the network is a combination of IP network,

  wireless network, Wi-Fi network, LANs, WANs)

Schwesig and Giroti disclose all the subject matter of the claimed invention with

the exception for air craft as mobile platform. McCall discloses air craft as mobile

platform (paragraph 0074 lines 6-9). Therefore, it would have been obvious to the

person of ordinary skill in the art at the time of invention was made to incorporate air

craft as mobile platform of McCall to the system of Schwesig and Giroti. The motivation

would have been to provide maximize mobility.

Conclusion

17.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the mailing date of this final action.

18.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jae Y. Lee whose telephone number is (571) 270-3936. The examiner can normally be reached on Monday through Friday from 7:30 AM to 5:00 PM EST.

        If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel Ryman can be reached on (571) 272-3152. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

        Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Jae Y Lee/   /Donald L Mills/
Examiner, Art Unit 2466   Primary Examiner, Art Unit 2462